

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00619

**Sean David Pike,**  
*Plaintiff,*

v.


**Maxey Cerliano, et al.,**  
*Defendants.*

**ORDER**

Plaintiff Sean David Pike, an inmate at Gregg County Jail proceeding pro se, filed this lawsuit against defendant Maxey Cerliano, among others, pursuant to 42 U.S.C. § 1983. This case was referred to United States Magistrate Judge K. Nicole Mitchell. The magistrate judge issued a report recommending that defendant's motion to dismiss be granted and that plaintiff's civil rights lawsuit be dismissed, with prejudice, for the failure to state a claim upon which relief may be granted. Doc. 65. Plaintiff filed timely objections. Doc. 67.

When timely objections to a magistrate judge's report and recommendation are filed, the court reviews them de novo. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report de novo, the court accepts its findings and recommendation. Defendants' motion to dismiss, (Doc. 19), is granted. Plaintiff's objections are overruled, and this civil rights action is dismissed, with prejudice, for the failure to state a claim upon which relief may be granted.

*So ordered by the court on August 19, 2021.*

  
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J. CAMPBELL BARKER  
United States District Judge